

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-and-

THE VULCAN SOCIETY, INC., *for itself and on behalf of its members*, JAMEL NICHOLSON, *and* RUSEBELL WILSON, *individually and on behalf of a subclass of all other victims similarly situated seeking classwide injunctive relief*;

ROGER GREGG, MARCUS HAYWOOD, *and* KEVIN WALKER, *individually and on behalf of a subclass of all other non-hire victims similarly situated*; and

CANDIDO NUNEZ, *and* KEVIN SIMPKINS, *individually and on behalf of a subclass of all other delayed-hire victims similarly situated*,

Plaintiff-Intervenors,

-against-

THE CITY OF NEW YORK, MAYOR MICHAEL BLOOMBERG *and* FIRE COMMISSIONER NOCHOLAS SCOPPETTA, *in their individual and official capacities*,

Defendants.

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NOTICE OF APPEAL

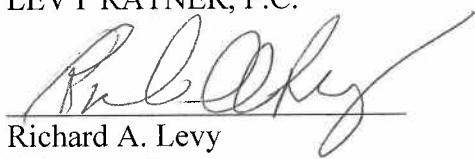
Civil Action No. CV 07 2067
(NGG) (RLM)

PLEASE TAKE NOTICE that Plaintiffs-Intervenors hereby appeal to the United States Court of Appeals for the Second Circuit, from the Partial Final Judgment entered in this action on the 1st day of February, 2012 and entered in the docket on or about the same date. This appeal is taken from that part of the Partial Final Judgment that is entered in favor of Defendants Mayor Michael Bloomberg and Fire Commissioner Nicholas Scoppetta, and against Plaintiffs-Intervenors, on the grounds of qualified immunity as to

Plaintiffs-Intervenors' federal law claims under 42 U.S.C. §§ 1981 and 1983 and on the grounds of official immunity as to Plaintiffs-Intervenors' State and City law claims under New York State Human Rights Law, New York Executive Law §§ 290 and 296 and New York City Local Law 59 of 1986, as amended by Local Rule 39 of 1991, §§ 8-101, *et seq.*

Dated: February 2, 2012
New York, New York

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